Detailed Action

Claim limitation "means for storing program instructions" has been interpreted under 35 U.S.C. 112, sixth paragraph, because it uses a non-structural term "means for" coupled with functional language "storing program instructions" without reciting sufficient structure to achieve the function. Furthermore, the non-structural term is not preceded by a structural modifier.

Since this claim limitation invokes 35 U.S.C. 112, sixth paragraph, claim 23 interpreted to cover the corresponding structure described in the specification that achieves the claimed function, and equivalents thereof.

A review of the specification shows that the following appears to be the corresponding structure described in the specification for the 35 U.S.C. 112, sixth paragraph limitation: Page 6 lines 2-3 of the specification teaches that the means for is a memory for storing the program instruction.

Claim limitation "means configured according to the program instructions provided by the means for storing for:" has been interpreted under 35 U.S.C. 112, sixth paragraph, because it uses a non-structural term "means for" coupled with functional language "configured according to the program instructions" without reciting sufficient structure to achieve the function. Furthermore, the non-structural term is not preceded by a structural modifier.

Since this claim limitation invokes 35 U.S.C. 112, sixth paragraph, claim 23 interpreted to cover the corresponding structure described in the specification that achieves the claimed function, and equivalents thereof.

A review of the specification shows that the following appears to be the corresponding structure described in the specification for the 35 U.S.C. 112, sixth paragraph limitation: Page 6 lines 3 of the specification teaches that the means configured according to the program instructions provided by the means for storing for is a processor to run the program instructions

If applicant wishes to provide further explanation or dispute the examiner's interpretation of the corresponding structure, applicant must identify the corresponding structure with reference to the specification by page and line number, and to the drawing, if any, by reference characters in response to this Office action.

If applicant does **not** wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant may amend the claim so that it will clearly not invoke 35 U.S.C. 112, sixth paragraph, or present a sufficient showing that the claim recites sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112, sixth paragraph.

For more information, see *Supplementary Examination Guidelines for Determining Compliance with 35 U.S.C. § 112 and for Treatment of Related Issues in Patent Applications*, 76 FR 7162, 7167 (Feb. 9, 2011).

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: The arguments presented on 10/12/2011 are persuasive. In particular, the argument that the prior art does not show the computer program determining a time, based on the security

vulnerability score, to fix the security vulnerability detected by the security vulnerability

assessment of the system with the other elements of the claim. The closest prior art

Keir et al teaches calculating a security vulnerability score but not using the score to

determining a time, based on the security vulnerability score, to fix the security

vulnerability detected by the security vulnerability assessment of the system.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Devin Almeida whose telephone number is 571-270-

1018. The examiner can normally be reached on Monday-Thursday from 7:30 A.M. to.

5:00 P.M. The examiner can also be reached on alternate Fridays from 7:30 A.M. to

4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barron, can be reached on 571-272-3799. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.

/Devin Almeida/
Examiner, Art Unit 2432

/Benjamin E Lanier/

Primary Examiner, Art Unit 2432